

**HOUSE . . . . . No. 3596****The Commonwealth of Massachusetts**

PRESENTED BY:

**Matthew C. Patrick**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

**AN ACT RELATIVE TO NUCLEAR REACTORS; MONITORING AND SURVEILLANCE;  
CHARGES AND ASSESSMENTS .**

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Matthew C. Patrick	3rd Barnstable
Peter v. Kocot	1st Hampshire
Rosemary Sandlin	3rd Hampden
James T. Welch	6th Hampden
Christopher J. Donelan	2nd Franklin
Stephen Kulik	1st Franklin
James Cantwell	4th Plymouth
Ellen Story	3rd Hampshire
Marc R. Pacheco	First Plymouth and Bristol
Thomas J. Calter	12th Plymouth
Anne M. Gobi	5th Worcester
Emily Lewis	19 Salem Place, Amherst, Ma. 01002
Harriet Nestel	488 S. min St Athol, Ma. 01331
Marcia Gagliardi	488 S. Main St. Athol, Ma. 01331
Thomas Lindeman	41 Fairfield St, Amherst MA 01002
Benjamin Swan	11th Hampden
Denis E. Guyer	2nd Berkshire
John W. Scibak	2nd Hampshire

Daniel K. Webster	6th Plymouth
Robert L. Hedlund	Plymouth and Norfolk
Virginia Hastings	763 Old Stage Rd Barre, MA 01005
Stephen M. Brewer	Worcester, Hampden, Hampshire and Franklin
Stephen J. Buoniconti	Hampden
Pam Richardson	6th Middlesex

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO NUCLEAR REACTORS; MONITORING AND SURVEILLANCE; CHARGES AND ASSESSMENTS .

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

### **Chapter 111 Section 5K (E) shall be stricken and replaced by inserting the filing**

(E) The department is hereby authorized to make assessments against (i) the operator of each existing and proposed nuclear power plant in the commonwealth and (ii) electric companies in the commonwealth which own, in whole or in part, or purchase power from the Seabrook nuclear power plant and/or Vermont Yankee nuclear power plant to defray costs incurred by the department's radiation control program in the performance of its duties under this section. With respect to the fiscal year in which this section becomes effective, the department is authorized to make assessments in the amount of not more than \$250,000 with respect to each of such nuclear power plants. With respect to subsequent fiscal years, the department is authorized to make assessments in amounts that, in the aggregate, are equal to the costs incurred in the prior fiscal year by the department's radiation control program in the performance of its duties under this section. The department is hereby further authorized to make a collection, based on such assessments, of monies from said operators of nuclear power plants to defray the cost of such activities. The department shall send notice of its assessment to each individual company against which an assessment is made, and said company shall pay such assessment within 30 days of the notice of the assessment; provided, however, that such company shall have a reasonable opportunity to submit objections concerning said assessment to the department for review. If, after completion of such review, the department determines the assessment is valid, the department shall issue a demand for such assessment, and the company against which such assessment is made shall pay such assessment immediately. If a company subject to assessment under this section fails to pay the assessment within 30 days of the notice of the assessment, or fails to pay the demand for assessment upon completion of the final review, whichever occurs later, the department may refer such matter to the department of revenue

22 for the collection of the assessment in accordance with applicable enforcement provisions pursuant to  
23 chapter 62C. The amount so collected shall be deposited into the General Fund and credited to the  
24 department.